

Title 4

Intoxicating Liquor and Beverages Proposed Ordinance Amendments

Law Department

February 23, 2016



Background

- Changes to Kansas law require amendments to Title 4:
 - Licenses for sale of liquor must now be 2 years in duration
 - Proposed amendments include various statutory changes adopted through the 2015 legislative session.

Additional Changes Addressed

- Title 4 reorganized in a more logical manner
- All liquor/CMB ordinances now located within Title 4
- Outdated code sections are eliminated
- Clarity is provided to enhance enforcement efforts

Revision Committee

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- Review ongoing over past 2 years with following staff:
 - Law
 - Police
 - Finance
 - Zoning
 - Fire

State Licensing Law Changes

- Adopts 2-year term for licensing sale of liquor by the drink
 - To be phased in over a 24 month period
 - Local license renewal simplified for businesses by aligning with state license renewal

Other State Law Changes

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- Allows samples to be offered at most venues selling liquor
- Allows serving of complimentary liquor and CMB:
 - At charitable and political events
 - At events supporting the arts
- Amends all penalties to conform with state law

Reorganization of Title 4

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- Clearly identifies duties and rights of each type of license
- License fee resolution made part of Title 4
- Sunday sales ordinance moved to Title 4
- Obsolete code sections repealed
- Conforms with language and style of state statutes

Enforcement Enhancement

- Both consumption and possession of liquor in public is now a violation, identical to treatment of CMB
- The term “guest” defined in ordinance
 - Provides clarification to the public
 - Assists police enforcement of “after hours” activities
- Addresses consumption of liquor in certain parks

Stakeholder Notification

- All currently licensed establishments to be notified of changes
- Staff is prepared to assist businesses during transition
- Two year licenses not required for 61 days
- 24 month phase-in will allow local license term to run concurrently with state liquor license

Expected Outcomes

- A well-organized Title 4 with greater ease of use for staff /public
- A code which mirrors most provisions of current state law
- A code permitting new activities at businesses and events
- A code assisting enforcement efforts of police and code officers
- A code retaining unique provisions addressing local issues

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